REMARKS/ARGUMENTS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 15-28 are pending in the present application. Claim 19 is amended in response to a requirement set forth in the outstanding Office Action. No new matter is presented.

In the Office Action, the specification is objected to for failing to provide proper antecedent basis for the features of Claim 19; Claims 15-16, 19-22, 25, 28 are rejected under 35 U.S.C. § 103(a) as unpatentable over Lee (U.S. Pub. 2003/0234799) in view of Fedorovskaya et al. (U.S. Pub. 2003/0156305, herein Fedorovskaya) and Stern et al. (U.S. Pub. 2002/0047828, herein Stern); Claims 17, 24 and 26-27 are rejected under 35 U.S.C. § 103(a) as unpatentable over Lee in view of Good et al. ("Automatic Text Reduction for Changing Size Constraints," pp. 798-799, herein Good) and Fedorovskaya; and Claims 18 and 23 are rejected under 35 U.S.C. § 103(a) as unpatentable over Lee in view of Kuga (U.S. Pat. 5,686,940), Good and Fedorovskaya.

The Office Action objects to the specification as failing to provide proper antecedent basis for the "computer readable medium" recited in Claim 19, noting that the specification only discloses a "computer readable storage medium". In response, Claim 19 is amended to recite "a computer readable storage medium", as disclosed in the specification.

Accordingly, Applicants respectfully request that the objection to the specification be withdrawn.

The Office Action maintains the rejection of independent Claims 15, 19 and 20 under 35 U.S.C. § 103(a) as unpatentable over Lee in view of Fedorovskaya and Stern. Applicants respectfully traverse this rejection.

Independent Claim 15, for example, recites, in part, a method for operating a display device, comprising:

> ***capturing an image of a user*** ...
> ***deriving a view angle of the user with respect to the display from said*** [captured] ***image of the user***;
> ***changing a display mode for displaying display information on said display*** ... ***to compensate for the view angle of the user*** ...

Independent Claims 19 and 20, while directed to alternative embodiments, recite similar features.

The Office Action, at p. 5, second paragraph, and p. 18, section 14 (I), maintains the position that Stern discloses "deriving [from a captured image of a user], a view angle of the user with respect to the display". More particularly, the Office Action relies on paragraph [0043] of Stern as disclosing this claimed feature.

Paragraph [0043] of Stern describes that his system includes "a leveling device for proper positioning of the individual in front of the computer. LEDs may be incorporated into the system in order to determine the correct viewing angle of the individual."

As noted above, Claim 15 recites "***deriving a view angle of the user with respect to the display from said*** [captured] ***image of the user***". Thus, the view angle of the user is derived (e.g., determined, measured, etc.) from a previously captured image of the user. In clear contrast, paragraph [0043] of Stern fails to disclose that the "leveling device" uses a previously captured image of a user, whatsoever.

Paragraph [0043] of Stern also describes that an LED may be incorporated into the system in order to determine the correct viewing angle for the individual. By definition, however, an LED emits light and is unsuitable for capturing an image of the user or for using a captured image

Stern, therefore, fails to teach or suggest "***deriving a view angle of the user with respect to the display from said*** [captured] ***image of the user***", as recited in independent Claim 15.

Moreover, neither Fedorovskaya nor Lee discloses deriving a view angle of a user from a captured image. Therefore, even if Lee, Stern and Fedorovskaya were combined, the combined system would still not read on the above noted features recited in independent Claim 15.

Claim 15 further recites the feature of "***changing a display mode for displaying display information on said display ... to compensate for the view angle of the user***".

With respect to the arguments presented regarding this feature, the Office Action further refers, at p. 19 in section (II) of the Response to Arguments Portion, to the following argument presented in the paragraph bridging pp. 8-9 of the Amendment filed July 2, 2009:

> In rejecting the claimed feature directed to compensating for the view angle of the user, the Office Action relies on the mechanical apparatus used to control the viewing angle of the monitor described in Stern. Independent Claim 15, however, is amended to recite "changing a display mode for displaying display information on said display ... to compensate for the view angle of the user". Thus, independent Claim 15 is directed to

The Office Action then "respectfully points out that *Lee* was relied upon for teaching the above quoted feature." P. 4 of the Office Action, however, concedes that Lee differs from Claim 15 in that "deriving a view angle of the user ... ***and the view angle is compensated for***" are not clearly shown. These positions are clearly contradictory to one another.

P. 19 and section (II) of the Office Action asserts that the above noted claimed feature was previously addressed by quoting the Office Action of April 3, 2009 as asserting:

> wherein in said display mode an amount of said displayed information depends on said user position information ("... displaying ratio data storage part 3 according to the distance between a user and the display apparatus ...," para. [0029]); and displaying said information on said display based on said display mode ("...displaying ratio data, and an image displaying ratio data setting...," para. [0029]; See also see S9 of Fig. 2).

Thus, as an initial matter, Applicants respectfully request that the contradiction in the rejection of this features be clarified. As noted above, p. 4 of the Office Action concedes that Lee differs from Claim 15 in that "deriving a view angle of the user ... ***and the view angle is compensated for***" are not clearly shown. At p. 5, the Office Action then appears to rely on Stern to reject this claimed feature. However, in traversing the arguments presented in the response filed July 2, 2009, with respect to this feature in view of Stern, p. 19 at section (II) in the Response to Arguments of the outstanding Office Action asserts that Lee was relied upon to reject this claimed feature.

Therefore, the Office Action contradicts itself and is ambiguous, at best, as to whether Lee or Stern is relied upon to reject the claimed features directed to "changing a display mode for displaying display information on said display ... ***to compensate for the view angle of the user***". Applicants, therefore, respectfully request that the rejection be withdrawn for at least the reasons discussed above.

Moreover, MPEP §707.07(f) indicates that a proper Action is to take note of the points raised in traversing such a repeated rejection and answer the substance thereof. The outstanding Office Action violates MPEP §707.07(f) by failing to respond to the above noted arguments, which were included in the response filed July 2, 2009.

Nonetheless, Applicants further submit that neither Lee nor Stern teach or suggest "changing a display mode for displaying display information on said display ... ***to compensate for the view angle of the user***", as claimed.

Lee, at paragraph [0029], describes a computer system where a distance sensor senses the distance between a user and a display apparatus. As described at paragraph [0030], an image size adjusting part then adjusts the size of a video signal displayed at the display apparatus when the distance changes.

Lee, therefore, describes a system in which a viewer's viewing distance is compensated for, and fails to teach or suggest "changing a display mode for displaying display information on said display ... ***to compensate for the view angle of the user***", as recited in Claim 15.

As argued in the previous response, and as quoted at p. 19 of the Office Action, the response filed July 2, 2009 presented arguments that Stern also fails to teach or suggest "changing a display mode for displaying display information on said display ... ***to compensate for the view angle of the user***".

In addition to these arguments, paragraph [0044] of Stern describes a mechanical apparatus that controls the height of the monitor and the viewing angle of the monitor. Therefore, the features of Claim 15 differ from Stern in that the display mode (clearly referring to the contents of what is displayed) is changed, whereas Stern changes the monitor's physical position.

Further, Stern merely describes to "control" the view angle, and is silent on controlling the view angle such that the view angle is changed to compensate for the view angle of the user. Instead Stern's mechanical apparatus controlling the viewing angle also controls the height of the monitor. It is obvious that in this context controlling the viewing angle is done to compensate the effect of the height control, without further derivation of the actual view angle or compensation of the view angle (e.g., change).

Therefore, even if Stern, Fedorovskaya and Lee were combined, the combination of these references fail to disclose "changing a display mode for displaying display information on said display ... ***to compensate for the view angle of the user***", as recited in independent Claim 15.

In summary, the combination of Stern, Fedorovskaya and Lee fails to disclose a method for operating a display device, the method including "***capturing an image of a user***

...", "***deriving a view angle of the user with respect to the display from said*** [captured] ***image of the user***" and "changing a display mode for displaying display information on said display ... ***to compensate for the view angle of the user***", as recited in independent Claim 15.

Accordingly, Applicants respectfully request that the rejection of Claims 15 (and the claims that depend therefrom) under 35 U.S.C. § 103 be withdrawn. For substantially similar reasons, it is also submitted that Claims 19 and 20 (and the claims that depend therefrom) patentably define over Lee, Fedorovskaya and Stern.

Regarding the rejection of Claims 17-18, 23-24 and 26-27 under 35 U.S.C. § 103(a) as unpatentable over Lee in view of Fedorovskaya and Good or Kuga, Applicants note that each of these claims ultimately depend from one of independent Claims 15 or 20 and are believed to be patentable for at least the reasons discussed above. Moreover, Applicants respectfully submit that neither Good nor Kuga remedy the above noted deficiencies of Lee and Fedorovskaya.

Accordingly, Applicants respectfully request that the rejection of Claims 17-18, 23-24 and 26-27 under 35 U.S.C. § 103 be withdrawn.

This amendment is submitted in accordance with 37 C.F.R. § 1.116 which after final rejection permits entering the amendments, canceling claims, complying with any requirement of form expressly set forth in a previous Office Action, or presenting rejected claims in better form for consideration on appeal. The present amendment amends Claim 19 to comply with a requirement of form set forth in the outstanding Office Action. This amendment does not raise new issues requiring further consideration and/or search. It is therefore respectfully requested that the present amendment be entered under 37 C.F.R. § 1.116.

Consequently, in view of the present amendment and in light of the foregoing comments, it is respectfully submitted that the invention defined by Claims 15-28 is patentably distinguishing over the applied references. The present application is therefore believed to be in condition for formal allowance and an early and favorable reconsideration of the application is therefore requested.

Respectfully submitted,

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